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A survey of 170 school districts was conducted to determine the type and amount of teacher participation in school policy decisionmaking. Ninety of these districts engage in collective negotiation in which teachers are represented exclusively by one teacher organization. In the remaining 80 districts, either a teacher organization is not recognized or teacher representation is on a proportional, separate, or council basis. Other variables considered during sampling and data analysis were the affiliation of local teacher organizations, school system size, and state laws. Questionnaire and interview responses indicate that collective negotiation enlarges teacher participation in decisionmaking and necessitates role adjustments by teachers, administrators, and school boards. (The latter two groups, however, have retained areas of discretion.) Responses also show that collective negotiations are concerned primarily with personnel policy and secondarily with the implementation of educational policy. However, teachers are using collective negotiation to create alternative and more suitable procedures for making decisions about the development and evaluation of educational policies. Finally, the survey revealed that unions are more active than their association counterparts and that teacher participation is greatest in large school systems in which unions hold exclusive representation and where state laws encourage collective negotiation. (LP)

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# A STUDY OF THE IMPACT OF COLLECTIVE NEGOTIATION BY TEACHER PARTICIPATION IN THE MAKING AND REVIEW OF SCHOOL POLICIES

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## SUMMARY

Teachers seek collective negotiation to obtain meaningful participation in decision making, to obtain relief from inadequate conditions of employment, to achieve equitable application of personnel policies, and to improve the educational services of the school system. This study is a survey and analysis of the extent of teacher participation in decision making, the nature of collective negotiation and alternative decision processes, the scope of various decision processes, and the factors which determine whether negotiations or other processes are applied to particular types of policy decisions. The implications for the professional role of teachers, managerial efficiency in the schools, and the nature of educational policy decisions are explored in detail.

Teacher participation in decision making in school systems which engage in collective negotiation is contrasted with teacher participation in school systems which do not negotiate with teachers. Alternatives to collective negotiation are identified and compared with it. Data were acquired by a questionnaire sent to a national sample of 170 school districts, by interviews conducted with school board members, administrators, and teachers, in six school systems, and by the collection of written agreements and other documents which describe teacher participation in decision making.

### Findings and Conclusions

Collective negotiation enlarges teacher participation in decision making by reducing the extent of unilateral decision making by administrators and school boards and by enhancing the power of teacher organizations. Teachers who engage in collective negotiation are more active in seeking changes in personnel policy, more vigorous in initiating educational policy discussions, and more free to question administrative judgments.

The size of the school system, the organizational form adopted by teachers, and state laws providing for collective negotiation also affect the scope and process of decision making. Teacher involvement in decision making tends to be greatest in large school systems where a union holds exclusive representation rights and where state law encourages the widespread development of collective negotiation.

Although administrative and school board discretion is narrowed under collective negotiation, administrators quickly learn to use the negotiation process to preserve areas of discretion and school boards retain their right to represent the public and to make all final decisions.

Collective negotiation is mainly concerned with personnel policy decisions. The salary schedule and other forms of compensation are the most frequently negotiated personnel policies. These are closely

followed by leave policies, class size, transfer policies, and teachers' supervisory duties.

The extent of negotiation of educational policy is not great but is likely to increase as teacher organizations learn to use collective negotiation more effectively and as administrators adjust to the process of negotiations.

Where educational policies are negotiated, the problem almost always concerns the level of educational services to be provided by the school system. Complex decisions involving the development and evaluation of educational policy are not negotiated, but non-negotiation decision processes are being created to give teachers a greater role in such decisions.

## THE PROBLEM

On December 16, 1961, the United Federation of Teachers won an election held for the purpose of choosing an exclusive negotiations agent for New York City teachers. The union and the school board subsequently entered into a comprehensive written agreement covering salaries, hours, and conditions of work and providing for teacher participation in the development of educational policies. These events mark a turning point in the history of employee-employer relations in the public schools. A few scattered efforts to organize teachers for the purpose of collective negotiation occurred prior to 1961. However, the New York development set off a wave of activities which continues to reverberate throughout the United States and which appears permanent. This study is concerned with the impact of this movement upon the scope and process of teacher participation in decision making.

The scope of teacher participation refers to the type and number of school policy decisions which are shared by teachers, administrators, and school boards. The process of decision making refers to the manner in which decisions are shared. There are actually several decision processes involved in teacher participation. Here we divide them into two categories, negotiation and non-negotiation.

There has been a growing body of literature concerning the field of teacher negotiations. In particular, the history of collective action by teachers, legal developments, and organizational positions have been extensively documented.[1] However, there has been no detailed study of the scope of the negotiation process and nothing but the most cursory treatment of non-negotiation decision processes. This, then, is the focus of this study.

The scope of negotiation is obviously a crucial issue since, if limited to salaries and related benefits, there would be practically no change in the extent of teacher participation in policy development. On the other hand, if completely unlimited, the scope of negotiation would include educational policy development, matters which have traditionally been the province of school boards and administrators.

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[1] Robert E. Doherty, "Determination of Bargaining Units and Election Procedures in Public School Teacher Representation Elections," Industrial and Labor Relations Review, XIX (July 1966), 573-95; Doherty (ed.), Employer-Employee Relations in the Public Schools (Ithaca, N. Y.: Cornell University, 1967); Myron Lieberman and Michael Moskow, Collective Negotiations for Teachers: An Approach to School Administration (Chicago: Rand McNally and Company, 1966); Charles R. Perry and Wesley Wildman, "A Survey of Collective Activity Among Public School Teachers," Educational Administration Quarterly, II (Spring 1966), 131-51; Alan Rosenthal, "New Voices in Public Education," Teachers College Record, LXVIII (October 1966), 13-20; James P. Steffanson, Teachers Negotiate with Their School Boards (Washington, D. C.: Government Printing Office, 1964); and Wesley A. Wildman, "Legal Aspects of Teacher Collective Action," Theory Into Practice, IV (April 1965), 55-60.

The result would be a considerable change in the structure of decision making and a probable change in the nature of the policies.

In their demand for collective negotiation, teachers have emphasized that they regard all school policies as negotiable.[2] Personnel policies such as salaries, hours, and conditions of employment, clearly have a direct and intimate effect on the work situation and welfare of teachers. But the case for negotiation of educational policies such as curriculum, in-service education, and graduation requirements, rests on different considerations. That is, it is argued that teachers' training, experience, and crucial position in the process of education, require negotiation of educational policies.[3]

The complexity of educational policies creates considerable ambivalence concerning the issue of their negotiation. Teachers obviously do have educational expertise to contribute to decisions on educational policy matters, but at some point in the development of these policies, technical educational judgments are necessary. Therefore, while it may seem reasonable to negotiate the amount of money allocated for the purchase of textbooks, it would not seem proper to choose among particular textbooks through the process of negotiation. If this is correct, it will be necessary to create non-negotiation decision processes which allow teachers to exercise their expertise in areas where negotiations are not considered appropriate.

We can reduce the above discussion to the following hypotheses:

1. The establishment of collective negotiation will enlarge teacher participation in decision making.
2. This enlargement of the teachers' role will create a new structure of decision making and will require a new accommodation of teacher, administrator, and school board roles.
3. The process of negotiation will be most concerned with the determination of personnel policies.
4. Educational policies will be negotiated, but teachers will rely upon non-negotiation decision processes to participate in complex educational decisions.

The testing of these hypotheses involves a description and discussion of the nature of collective negotiation and non-negotiation processes, an examination of the scope of various decision processes, and an analysis of the criteria or factors which determine whether negotiation or non-negotiation processes will be applied to any particular policy.

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[2] See Charles Cogen, "Collective Bargaining: The AFT Way," Speech at National Institute on Collective Negotiations in Public Education, Rhode Island College, Providence, Rhode Island, July 8, 1965, pp. 2, 7, quoted in Lieberman and Moskow, op. cit., p. 226.

[3] Ibid.

## METHODS

The method of analysis consists of comparisons of data from two types of school systems: (1) those which engage in collective negotiation, and (2) those which do not engage in collective negotiation. Thus, using data on scope and process from non-negotiation systems as a bench mark, the differences between it and the results of collective negotiation are established.

If a teacher organization were recognized as the exclusive representative of the teachers in the school system, that system is considered to be engaging in collective negotiation. The qualification of exclusive representation is used because it is an indispensable prerequisite for meaningful negotiation and agreement, it is the most widely accepted principle of representation, and its existence is easily established. School systems not engaging in collective negotiation either did not formally recognize a teacher organization for the purpose of representing teachers or had established representation on a proportional, separate, or council basis.[4]

Other variables which may influence teacher participation are the affiliation (National Education Association or American Federation of Teachers) of the local teacher organization, the size of the school system, and the presence or absence of state legislation providing for collective negotiation. The sampling and data analysis procedures are designed to account for the influence of these variables.

Two methods of data collection are utilized--a questionnaire survey and a field survey. The questionnaire sample is drawn from a list of 12,229 school districts of 300+ pupils reported in the Education Directory 1964-65: Part 2, Public School Systems.[5] The Directory provided information on the size of school systems but did not provide information on exclusive representation or the affiliation of teacher organizations. This information was acquired from the NEA, the AFT, newspapers, and labor reporting services.

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[4]Under proportional representation, teachers would be represented by a negotiating team composed of all teacher organizations in the system. Membership on the team would be proportional to membership in the teacher organizations. With separate representation, the school board would conduct negotiations with each teacher organization in the system. In the council method, the teachers' negotiating team would be elected among the teachers at large and would have nothing to do with teacher organizations.

The inclusion of these forms of representation in the non-negotiation group probably tended to reduce differences in the data. Nevertheless, the findings indicated that teacher participation was clearly greater where the exclusive representation principle was followed.

[5]Department of Health, Education and Welfare, Office of Education, (Washington, D. C.: Government Printing Office, 1965).

The sampling procedure is purposive--designed to definitely include certain elements of the population which might not be included in a random sample. A total of forty-five AFT affiliates was chosen and an equal number of NEA affiliates was selected in a manner such that the AFT-NEA size distribution was similar. All of these teacher organizations had exclusive representation rights. Finally, eighty systems were selected in which no teacher organization had exclusive representation rights. The size distribution of this group was similar to the distribution of the previous groups. The three groups together comprise the whole sample of 170 school systems.

The questionnaire (see Appendix A) was sent to the superintendent of each school in the sample and answered either by him or a member of his staff. There were two mailings of the questionnaire, yielding a return of 129 usable questionnaires for a response rate of seventy-six percent.

A sub-sample of six school systems (see Appendix B) for the field survey was selected from among the systems which responded to the questionnaire. In general, the factors which guided the selection of the questionnaire sample (representation status, affiliation, size of school system, and state legislation) were also used in selecting the field survey sample.

The field survey was undertaken to exploit sources of data and to obtain detailed information which either were not available from any other source or could not be acquired by the mail questionnaire. In particular, the purposes of the field work were the following: (1) to examine the working relationships of collective negotiation and various non-negotiation decision processes, (2) to sample participants' views, (3) to discover methods of teacher involvement in educational policy development, (4) to obtain facts and opinions on the impact of collective negotiation, and (5) to check the reliability of the questionnaire.

Fourteen to sixteen interviews of average length of one hour were conducted in each school system. The respondents were selected on the basis of their functions in the school system or their roles in decision processes. In every system, interviews were held with teachers, superintendents, principals, and school board members. The following is a list of written source material which was acquired through the field survey: (1) newspapers and newsletters published by the school district and by teacher organizations, (2) descriptions of the composition and functions of committees established by the superintendent or by the principals, (3) teacher handbooks, (4) school board rule books, (5) lists of proposals made by teacher organizations, (6) teacher-board agreements, (7) miscellaneous memos, reports, and directives, and (8) clippings from local newspapers.

A Chi Square test[6] was utilized in the analysis of the quantifiable data. Other data were presented in figures and discussed in the text.

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[6] No conclusions were inferred directly from the results of these tests since the data were non-random. Inferences suggested by these data found their way into the conclusions only if they were consistent with other data utilized in the study.

## FINDINGS AND CONCLUSIONS

In the discussion which follows, the major conclusions of the study are stated first, followed by a summary of the relevant findings. At appropriate points, exceptions to the general rule are noted and the implications of the findings are examined.

### Teacher Participation

The evidence strongly supports the hypothesis that the establishment of collective negotiation enlarges teacher participation in decision making. It should be noted, first, that teachers in systems without collective negotiation are not entirely lacking in participation. Such teachers are extensively involved in decision making, but the extent of teacher participation is even greater in systems with collective negotiation.

Systems without collective negotiation involve teachers in decision making through recommendation[7] decision processes. One of the important recommendation processes is the annual presentation, whereby the teacher organization meets with the school board to formally advise the board as to the teachers' views on salaries and other mainly personnel matters. In addition, teachers participate in the development of educational policies through committees established by the superintendent or by principals.[8]

In systems without collective negotiation, teacher involvement is greatest in the area of educational policies, followed by salary matters and by a few other personnel policies. Many personnel policies are decided by the superintendent or the school board without any participation by teachers. In addition, administrators are in a position to exert considerable influence on teacher involvement as a result of their control over financial information, their initiation of most policy considerations, their power to appoint teachers to committees, and their membership in teacher organizations.

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[7] "Recommendation" refers to decision processes involving teachers in advisory capacities and where the school board retains unilateral decision authority. In contrast, a school board which enters into collective negotiation commits itself to bilateral decision making.

[8] The study defines "educational policies" as those whose primary purpose can be reasonably construed to be the improvement of educational services rather than the improvement of teachers' conditions of employment and defines "personnel policies" as those whose primary purpose can be reasonably construed to be the improvement of teachers' conditions of employment. These definitions are subjective and may be somewhat imprecise in application, but they are nevertheless helpful in making generalizations about the treatment of school policies.

Teachers, in systems without collective negotiation, exercise a considerable degree of autonomy at the school level. Many decisions pertaining to the process of education, such as pupil discipline, choice of materials and methods, and course content, are exclusively or almost exclusively left to teachers. In addition, most principals voluntarily share decisions with their teachers. Teachers can raise complaints concerning the interpretation and application of policy by principals or other administrators in most systems without collective negotiation. However, the procedures for processing such complaints tend to lack the safeguards of an effective grievance procedure.[9]

The establishment of collective negotiation enlarges the scope of teacher participation in decision making and also changes some of the decision processes. It enlarges the scope of teacher participation by reducing the extent of unilateral decision making by employers and by stimulating teacher organizations into more vigorous activity. The stimulus of collective negotiation is indicated by the fact that much more extensive proposals for policy changes are submitted by teachers with exclusive representation rights than by teachers without such rights. Also, collective negotiation agreements tend to be much broader in scope than the range of matters considered in the presentation process. Most of the enlargement of teacher participation through negotiation occurs in personnel policy areas.

Teachers, in systems with collective negotiation, initiate educational policy discussions and studies more frequently than teachers in systems without collective negotiation. They do this by demanding negotiation of educational policy or otherwise by invoking joint study committees. These committees differ from the traditional administrator-appointed committee in that they provide teachers with greater control and influence over decisions on educational policy.

The basic purpose of joint study committees is to evaluate alternative courses of action or to research and develop a course of action with respect to some educational problem. The committees are composed of administrators and teachers having expertise in the particular problem area. The impact of joint study committees on teacher participation is explained by the close relationship between the committees and collective negotiation. That is, teachers use collective negotiation in the following manner: (1) to create joint study committees, thereby, giving teachers the opportunity to initiate policy considerations; (2) to stipulate the subject matter of the committees, thereby, providing teachers with greater control over the subject matter; (3) to provide teacher representation on committees by the negotiating agent,

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[9] An effective grievance procedure should include the following: (1) a definition of what constitutes a complaint, (2) a specification that complaints and responses be in written form, (3) a provision for representation of a complaining teacher by another person of his choice, (4) a set of time limits for disposition of the complaint, and (5) a third party procedure.

thereby, reducing administrative control over committee personnel, and (4) to require effectuation of committee recommendations.

Finally, effective grievance procedures are much more prevalent in systems which have established collective negotiation. A few of these grievance procedures provided for binding arbitration as the terminal step. The great majority of the procedures, however, utilized a third party in an advisory capacity only.

Collective negotiation is also a new process, making teacher organizations an independent locus of power in the school system. That power greatly increases the extent to which the administration and school board recognize and respond to the teachers' proposals, opinions, and dissent.

Such recognition is crucial to the teachers' influence on the outcome of policy decisions. But it may be even more crucial to the teachers' satisfaction and performance on the job. Almost every interview with teachers revealed that they have a deep seated conviction that school boards do not really appreciate or understand the teachers' need to be involved in the decisions which control their welfare, conditions of employment, and the quality of education. One teacher expressed this as a need for "a little dignity." The desire for dignity everywhere appeared as great as the desire for improved salaries and conditions of work.

Factors other than exclusive representation such as affiliation, size of school system, state law, and the desires and perceptions of teachers, also affect teacher participation. An adverse combination of such variables, as discussed below, may tend to minimize the effect of exclusive representation.

The extent of the differences between the unions and the associations in the study was considerable. On the whole, the unions are more vigorous and more forceful than their association counterparts. The mail questionnaire, for instance, clearly indicates a more inclusive scope of negotiation and wider acceptance of grievance procedures in AFT systems. The unions also tend to negotiate more comprehensive agreements than do associations.

Unions are more active than associations even in the school systems which have not established collective negotiation. In such situations, unions tend to be more independent of the administration and more critical of school board policies, and also tend to present more demanding proposals. However, the dilemma of the teacher organization in systems without exclusive representation is that their influence is limited regardless of the posture they take toward the school authorities. If cooperative, they run the risk of becoming dependent. If independent, they run the risk of being ignored.

Actually, affiliation per se is probably not the main explanation of union-association differences. The differences appear to reflect, to a considerable extent, differences in constituency. Factors such as sex, grade level, age, income, and attitudes and prejudices all

affect the teachers' support of the teacher organization and their views on collective action. Attitudes and prejudices which are least favorable to collective action appear to be most prevalent in smaller communities where teachers tend to join associations.[10]

There is greater potential for teacher participation in decision making in large school systems. They are more able to afford the staff required to undertake studies of the educational program, and the larger number of teachers creates possibilities for greater financial support and increases the supply of leadership, both of which are essential for strong teacher organizations.[11] The constraints imposed by small size can be overcome by other more favorable circumstances such as an enlightened school administration, exclusive representation, state legislative support for collective negotiation, and the stimulus provided by the development of negotiation in nearby cities. Alternatively, there may not be greater teacher participation in large school systems because of the absence of such favorable circumstances. The implication of these findings is that teacher participation in decision making will tend to be greatest in large school systems where a union holds exclusive representation rights and where state law encourages the widespread development of collective negotiation.

## The Structure of Decision Making

Collective negotiation creates a new structure of decision making and a need for the readjustment of teacher, administrator, and school board roles. The changes which occur in the structure of decision making are accomplished by one or more of the following: (1) the representation of teacher interests by the teacher organization rather than by individual teachers selected by the administration, (2) the shifting of much of the initiative for invoking decision processes to the teachers, (3) the requirement of mutual decision making on many subjects, (4) the requirement that school authorities effectuate teachers' recommendations on other subjects, and (5) the more regular use of teachers in decision processes.

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[10] These observations were acquired as a part of the field work though they were not part of the research design. A more thorough and systematic study of the influence of such factors on teacher collective action might be a worthwhile research project.

[11] It has been commonly assumed that bureaucracy and poor working conditions in large school systems is an important explanation of the teachers' demand for collective action. This study suggests an explanation which is at least equally important. That is, the large city teacher organization is likely to lead the drive for collective action simply because it has a greater leadership and financial base from which to draw its strength.

New decision processes tend to evolve from and replace old decision processes. Collective negotiation can be regarded as an extension of the presentation process, modified by the principle of exclusive representation and by the requirement of mutual decision making. Joint study committees can be regarded as an extension of traditional administrator-appointed committees, modified by the principle of representation by the teacher organization, by greater teacher initiative, and by the use of negotiation to assure effectuation of committee recommendations. Grievance procedures can be regarded as an extension of informal hearing procedures, with the addition of such features as defined grievances, written grievances and responses to grievances, time limits, representation, and third party procedures. Principal-teacher consultations can be regarded as an extension of informal school committees and communications, modified by representation through the union building committee, greater teacher initiative, and more regular meetings.

Curriculum planning and textbook selection, the two most common sources of committee work, have been largely unaffected by collective negotiation. In part, this is because teachers do have a good deal of autonomy and influence in these areas. But there has also been a recognition that the solution of these problems requires research and evaluation by personnel who possess expertise in particular subject areas. The numerous committees already in existence in most school systems presumably have such qualifications. Neither has collective negotiation greatly affected the structure of school-level decision making. This is partly because negotiations have tended to focus on system-wide policy, but it is also because teachers enjoy considerable autonomy at the school level.

It is possible for teachers to express dissent in the absence of a collective negotiation relationship. Moreover, such dissent is, from time-to-time, an effective constraint on actions which the teachers consider to be inimical to their interests. The effectiveness of such constraints is related to such variables as the nature of working relationships, the history of dissent, the degree of adversity perceived by teachers, and the number of teachers affected. Given the same set of circumstances, however, collective negotiation imposes greater constraints because it <u>formalizes</u> and <u>dramatizes</u> the expression of dissent.

The following are examples of the constraints imposed on administrators and school boards: (1) requirements that teachers not be given teaching duties outside their area of certification, (2) reduced freedom to choose the types of special services furnished by the district, (3) reduced freedom to raise beginning salaries without proportionate increases for career teachers, (4) restrictions on assignment of extra duties, (5) reduced freedom to establish the school calendar, (6) requirements that seniority and teacher preference be considered in assignments and transfers, (7) class size maximums, and (8) restrictions on the length of the school day.

These and other constraints reduce the discretion of administrators and school boards but do not eliminate or hinder the functions

of either group. Administrators actually use the negotiation process to preserve their discretion. This is indicated by the frequent use of loose policy guidelines, by maximums, minimums, or averages as policy standards, and by the use of qualifying phrases such as "to the extent feasible," in collective agreements. Moreover, some agreements specifically reserve certain areas for the exclusive discretion of the administration. School boards retain their right to represent the public interest and to make all final decisions.[12]

The importance of this evolution of the structure of decision making is that collective negotiation can enlarge the teachers' role without hampering or destroying the functions of school management. In their zeal, teachers may sometimes propose policy changes which would have the secondary effect of reducing management efficiency; but the school board does not have to agree to such a policy. The survey of comprehensive agreements and of the systems which engaged in collective negotiation strongly suggests that school managements quickly adjust to collective negotiation.

The most difficult accommodation made necessary by the onset of collective negotiation concerns the capacity of the school board and the administration to take criticism which the teachers express through the teacher organization. School boards and administrators are political creatures who have a vested interest in the impression that the

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[12] It might be argued that the establishment of exclusive representation and the resulting bilateral determination of policy by school boards and teacher organizations will deprive the public of the opportunity to participate in school system decision making. But this argument is unfounded because the public or any special interest group may express their views at school board meetings. School boards may even schedule special meetings with such groups before reaching agreements with the teachers, thus, continuing to represent the public interest. Moreover, collective negotiation does not require a school board to agree to any proposal which it regards as contrary to the interests of the school district.

In extraordinary situations, however, it may be sound public policy for school boards and teachers to admit special interest groups as partners in decision making. Both parents and teachers, for instance, would have a strong interest in the problem of whether or not to establish a school lunch program and the nature of such a program. Parents would be interested in the program's cost and dietary qualities and would be relieved of the necessity of providing such services themselves. On the other hand, a school lunch program requires supervision, a service that teachers or teacher aides would have to provide. Multilateral decision making such as a joint committee of parents, teachers, and school board members, may be the best way to accommodate these various interests. The same system could be extended to such problems as achieving racial balance in the schools, deciding whether corporal punishment of pupils is permissible, or making major changes in the physical plant of the school system.

schools are being operated as well as possible. This is an important source of teacher organization power. For example, if the teacher organization states in the public press that reading scores in the inner city schools are below the city-wide average and much below the national average, much public pressure may be generated. That pressure falls upon the school board and the administration, even though in the final analysis, the responsibility for the situation rests with the public. The viability of collective negotiation will largely depend on how well the parties adjust to the greater exercise of power by teacher organizations.

## Negotiation of Personnel Policies

The process of negotiation is primarily concerned with the negotiation of personnel policies. The salary schedule and other forms of compensation are the most frequently negotiated personnel policies. These are closely followed by leave policies, class size, transfer policy, and teachers' supervisory duties. Negotiation is often used to decide other personnel policies, but not more often than recommendation or employer decisions without teacher participation. About 90 to 95 percent of the provisions in comprehensive agreements concern personnel policy. The bargaining proposals of teacher organizations having exclusive representation rights are also mainly comprised of personnel policies.

At the present time, it is clear that most of the bargaining power of teachers is being exerted on the demand for higher salaries, other forms of compensation, and a few working conditions. The relatively great emphasis on these matters is likely to continue since it is inconceivable that any group of employees would ever be completely satisfied with their conditions of employment. This is especially true of teachers, who feel that the level of their training requires approximately a doubling of their present salary level.

The implication of this concern for personnel policies is difficult to guage. It will certainly add to market pressures which, for several years, have led to rapidly increasing expenditures on public education. But whether it will influence the quality of education, and how it would do so, is less certain. On the one hand, higher salaries, lower class sizes, more liberal fringe benefits, elimination of non-professional duties, etc., may attract better teachers and may help retain the present stock of experienced teachers. On the other hand, increased expenditures on personnel matters may detract from the school district's ability to modernize its physical plant, update its texts and other teaching aides, improve its services for disadvantaged children, etc.

This is simply an illustration of the dilemma of the allocation of scarce resources among competing wants. This dilemma will persist regardless of whether or not teachers exercise their choices through the process of collective negotiation. The next section, however, suggests that teachers may opt for a greater outlay of educational services as well as improved conditions of employment. Thus, collective

negotiation will not necessarily distort the allocation of resources from educational services to personnel benefits.

## The Treatment of Educational Policy

Educational Policies are being negotiated, but in addition, non-negotiation decision processes are being created for the involvement of teachers in complex educational decisions. Two of the field survey systems each negotiate in the area of educational policy, and the majority of comprehensive agreements contain at least one provision of an educational policy nature. On the average, the extent of negotiation of educational policy is relatively small--about 5 percent. This, of course, varies considerably from one school system to another.

The examination of the bargaining proposals of two large teacher organizations having exclusive representation rights reveals that 20 to 25 percent of these proposals concern educational policies.[13] The leaders of the organizations stated that they would continue to attempt to negotiate educational policy. The top administration of school systems acts as a restraining force on teachers' demands for negotiation of educational policy. In some cases, it disagrees with the substance of the teachers' proposals. In other cases, it resists negotiation in order to preserve its freedom of action in those areas. However, it is likely that negotiated agreements on educational policy will become more common in the future as teacher organizations learn to bargain more effectively and as administrators learn to use negotiation to preserve their discretion in vital areas.

The more important part of these findings concerns not how much but what type of educational decision is being negotiated. To improve the quality of education requires two basic types of decisions. First, someone must develop an educational program or service such as a unit of study, a text, teaching methods, etc., and must also evaluate its expected effect on the quality of education. Second, that program or service must be adopted by the school system. The first decision requires much educational expertise, and as such, has no relevance to collective negotiation. The second decision, however, requires mainly a greater outlay of resources or a shift in the allocation of resources. Collective negotiation is very much relevant to this type of decision.

This study indicates that the negotiation of educational policy has concerned the following types of agreements: (1) that the parties increase expenditures on books, supplies, specialist teachers, etc.,

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[13] There are two factors which explain the difference between the extent of educational policy agreements (about 5 percent) and the extent of proposals dealing with educational policy (20 to 25 percent). First, agreement is not reached on all of those proposals. Second, some proposals are deferred to non-negotiation decision processes and decisions do not become part of the collective agreement.

(2) that the administration act on recommendations which are developed by non-negotiation decision processes,[14] and (3) that the parties obtain greater utiliazation of teachers in policy planning and other non-negotiation decision processes. Thus, collective negotiation is being used to obtain some assurance that fiscal or other non-educational considerations will not limit the adoption of sound educational programs and services. Collective negotiation is not being used to intrude into the development and evaluation aspects of educational decisions.

Teachers are, however, using collective negotiation to enlarge their role in the development and evaluation of educational policy. This is being accomplished through the creation of non-negotiation decision processes, namely, consultation procedures[15] and joint study committees. Formal consultation procedures appear to have considerable potential for teacher involvement in decision making, but at this time, such procedures are not very widespread. The joint sutdy committee is more common and is useful both as a means of involving teachers in the development and evaluation of educational policy and of removing difficult issues from the bargaining table.

The following implications are suggested by these findings: (1) that the negotiation of educational policy can be accomplished in a fashion which preserves the discretion of administrators and the ability of school boards to represent the public, (2) that the development and evaluation of educational policy can be separated from the bargaining process, and (3) that non-negotiation decision processes can be created to provide increased teacher participation in the development and evaluation of educational policy. It is also quite clear that collective negotiation will be used by teachers to persuade the public to increase expenditures on educational services. Teachers and their organizations are more insulated from the pressure of the public purse than school boards. Thus, teachers may be able to persuade the public to finance educational improvements that the school board would not have risked asking the public to support.

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[14] Because recommendations are advisory, the administration may refuse to effectuate them. The importance of the "to act" agreement is that the administration cannot delay action forever, and if it chooses to refuse recommendations, it must be prepared to justify its refusal.

[15] Formal consultation procedures consist of meetings between the teachers' representatives and the administration, usually at regular monthly intervals. The meetings are held at two levels, with the superintendent and with principals. There appears to be no limit to the subject matter which may be discussed at such meetings, but the outcomes of those discussions are not ordinarily translated into formal written agreements.

In conclusion, collective negotiation has been viewed with alarm by teachers who fear that labor bosses will tell them what they need, by administrators who fear that negotiation will impair the managerial function, and by school boards who fear an erosion of their control of the schools. The evidence presented herein should dispel these fears. For although collective negotiation does raise crucial questions and does require readjustment in the roles of participants, teachers, administrators, and local boards have resolved these questions and have made these adjustments in a flexible and imaginative manner.

APPENDIX A--The Questionnaire

Name and address of school district _____

_____

_____

Name of respondent _____ Title _____

1. Approximate number of pupils in the district _____

2. Which of the following local teacher organizations exists among teachers in your district? Check all that are active.

   ☐ Affiliate of the National Education Association

   Name _____

   ☐ Affiliate of the American Federation of Teachers

   Name _____

   ☐ Independent local organization

   Name _____

   ☐ None

3. Which <u>one</u> of the following statements describes the relationship between the teacher organization(s) and the school board?

   a. One of the organizations is recognized by the school board as the <u>exclusive</u> representative of <u>all</u> the teachers. Please indicate which one.

      ☐ NEA affiliate ☐ AFT affiliate ☐ Independent

      Approximate date that exclusive recognition was granted

      _____

   b. ☐ Two or more organizations are recognized by the school board to <u>jointly</u> (council method) represent all the teachers.

   c. ☐ One or more organizations are recognized by the school board to <u>separately</u> represent their members.

   d. ☐ No organization of teachers is recognized as a representative of teachers.

4. Has this relationship resulted in a written document? (Such a document may be in the form of a contract signed by the parties or it may be a statement of school board policy. It may simply recognize an organization as the representative of the teachers; it may outline negotiation and impasse procedures; it may embody the content of agreement on salaries and working conditions, etc.)

☐ Yes ☐ No

If yes, would you please enclose a copy of the most recent document with the questionnaire, or if more convenient, under separate cover.

5. Does your district have a procedure for resolving a complaint by a teacher that there has been, as to him, a violation, misinterpretation, or inequitable application of the rules, regulations, policies, etc., concerning teachers' employment?

☐ Yes ☐ No

If yes, is this a:

☐ grievance procedure ☐ hearing

If yes, does the procedure provide for the selection of a third party when the teacher and school authorities are unable to reach a satisfactory solution?

☐ Yes ☐ No

If yes:

☐ Is the third party empowered to give advice, suggestions or recommendations which may help settle the dispute?

☐ Or, is the third party empowered to settle the dispute by rendering an opinion which is binding upon the teacher and school authorities

If no, have there been instances in the past five years in which individual teachers appealed decisions to a court?

☐ Yes ☐ No

If yes, please supply the citations.

_____

_____

_____

_____

6. This part consists of a list (a. through t. below) of common school system policy matters, followed by a set of numbers, and a box. Please circle the number which best describes the manner in which each policyis formulated in your district. The answering scheme is:

1 teachers only

2 teachers, with administrative and/or school board approval

3 negotiation between the teachers' representative and the administration and/or the school board

4 the administration and/or school board after soliciting suggestions or advice from teachers

5 the administration and/or school board only

6 state legislation (or chief state school administrative decision) which leaves no room for local determination of the policy

Then, mark ( √ ) the box if the implementation or application of the policy may be reviewed through the complaint procedure identified in part 5 above.

a. The curriculum is developed by..... 1 2 3 4 5 6 ☐

b. The content of a subject within the curriculum is determined by..... 1 2 3 4 5 6 ☐

c. Selection of texts is by..... 1 2 3 4 5 6 ☐

d. Selection of instructional materials and equipment is by..... 1 2 3 4 5 6 ☐

e. Determination of the content of in-service training is by..... 1 2 3 4 5 6 ☐

f. Determination of the length of in-service training is by..... 1 2 3 4 5 6 ☐

g. Selection of new teaching devices or techniques is by..... 1 2 3 4 5 6 ☐

h. Determination of the need for and type of specialized teachers is by..... 1 2 3 4 5 6 ☐

i. Determination of the teacher's daily program (subjects, grade level, reading achievement level, etc.) is by..... 1 2 3 4 5 6 ☐

j. Establishment of policy on teacher leaves is by..... 1 2 3 4 5 6 ▱

k. Establishment of policy on re-employment rights for non-vetrans is by..... 1 2 3 4 5 6 ▱

l. Establishment of the school calendar is by..... 1 2 3 4 5 6 ▱

m. Determination of the length of the probation period is by..... 1 2 3 4 5 6 ▱

n. With respect to the salary schedule, determination of:

1) general increases in salaries is by..... 1 2 3 4 5 6 ▱

2) the dollar amount of salary steps is by..... 1 2 3 4 5 6 ▱

3) the number of salary steps is by..... 1 2 3 4 5 6 ▱

4) increments for length of service beyond the maximum salary step is by..... 1 2 3 4 5 6 ▱

5) methods of qualifying for promotion to higher steps is by..... 1 2 3 4 5 6 ▱

6) pay for assigned activities of a non-instructional nature is by..... 1 2 3 4 5 6 ▱

o. Establishment of class size policy is by..... 1 2 3 4 5 6 ▱

p. Establishment of teacher transfer policy is by..... 1 2 3 4 5 6 ▱

q. Determination of policy on whether teachers will be required to supervise pupils in the halls, yard, cafeteria, etc.) is by..... 1 2 3 4 5 6 ▱

r. Establishment of policy on teaching assignments for high school teachers is by..... 1 2 3 4 5 6 ▱

s. Establishment of policy on the number of lesson preparations is by..... 1 2 3 4 5 6 ▱

t. Establishment of policy on the amount of preparation time is by..... 1 2 3 4 5 6 ▱

7. The following set of questions may be answered either Yes or No (circle Y or N).

a. Have class size maximums been established?..... Y N

b. Have class size minimums been established?..... Y N

c. Is length of service within the system the main criterion in deciding whether a teacher will be given the opportunity to transfer?..... Y N

d. Are any of the following duties a part of the teachers' normal work week:

1) Cafeteria supervision?..... Y N

2) Yard supervision?..... Y N

3) Study hall supervision?..... Y N

4) Hall supervision?..... Y N

e. Are teachers informed about the content of the personnel records concerning their conduct, service, or character?..... Y N

f. Are teachers allowed to attach an answer to any material in the file which is derogatory to their conduct, service, or character?..... Y N

g. Have guides been established for:

1) Maximum number of consecutive teaching assignments?..... Y N

2) Minimum number of lesson preparations?..... Y N

3) Rotating teacher programs ( e.g., to avoid "freezing" a teacher into a group of "difficult" pupils)?..... Y N

h. Is any portion of the teachers' normal work week designated as preparation time?..... Y N

i. Are teacher organization dues deducted from paychecks after being authorized by the individual teacher?..... Y N

## APPENDIX B--The Field Survey Cities

1. Milwaukee, Wisconsin. Milwaukee is the largest (125,000 pupils) city in which an NEA-affiliated teacher organization has achieved exclusive recognition and established a collective negotiation relationship. Policy formulation, as indicated by the questionnaire, was forty-four percent negotiation, forty percent recommendation, twelve percent employer only, and four percent by state laws or rulings having the effect of law. The parties have negotiated a comprehensive agreement which indicated some negotiation of educational policy. The parties also negotiated a grievance procedure but it does not include arbitration as a final step. The negotiations relationship was established in a state with a law providing for collective negotiation and in a city in which conpetition from an AFT affiliate appears to have provided considerable stimulus to the NEA affiliate.

2. Philadelphia, Pennsylvania. Philadelphia is a large school system (280,000 pupils) in which an AFT affiliate has achieved exclusive recognition and established a negotiations relationship without benefit of enabling state legislation. Policy formulation was fifty-two percent negotiation, thirty-six percent recommendation, eight percent employer only, and four percent by state law or rulings having the effect of law. The teacher organization has negotiated a comprehensive agreement which provided for educational policy consultation and extensive use of joint study committees. The agreement also provided for a grievance procedure with binding arbitration as the final step.

3. Pittsburgh, Pennsylvania. Pittsburgh is a large school system (77,000 pupils) where there are three active teacher organizations, none of which has achieved exclusive recognition. Teacher participation in decision making was through a "Professional Advisory Commission" and a "Personnel Planning Committee." The questionnaire indicated that policy formulation was one hundred percent recommendation. The questionnaire also indicated that an informal grievance system existed.

4. Jacksonville, Illinois. Jacksonville is a small school system (4,900 pupils) with a single active teacher organization which is recognized for the purpose of representing its members. The teacher organization has negotiated a procedural agreement which provided that policies were to be formulated through a "committee of the whole" (teachers, administrators, and school board members) and also provided for an impasse procedure with advisory recommendations. The questionnaire indicated that policy formulation was seventy-two percent recommendation, twenty-four percent employer only, and four percent by state law or rulings having the effect of law.

5. Coffeyville, Kansas. Coffeyville is a small school system (4,047 pupils) with one active teacher organization and where no organization is recognized to represent teachers. Teacher participation in system-wide policy matters was through informal recommendation procedures. The questionnaire indicated that policy formulation

was seventy-six percent recommendation, eight percent employer only, four percent negotiations, and twelve percent not answered. There was no formal grievance procedure.

6. Indianapolis, Indiana. Indianapolis is a large school system (107,000 pupils) with two active teacher organizations, each recognized to represent its own members. A comment on the questionnaire, "teacher committees may recommend to the administration before final decisions are made," indicated that recognition was for the purpose of recommendation, not negotiation. The questionnaire indicated that policy formulation was fifty-two percent employer only, thirty-six percent recommendation, eight percent negotiation, and four percent state law or rulings having the effect of law.